IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 673(S/S) 2007

Heera Singh Samant S/o Sri Kunwar Singh Samant,
R/o village Kuloti, Vikas Khand-Lohaghat,
District Champawat. ----Petitioner.

Vs.

1. State of Uttarakhand through,
   District Magistrate, Champawat,
2. Additional Education Officer (Basic),
   District Champawat. ----Respondents.

Sri Prabhakar Joshi, learned Counsel for the petitioner,
Sri Paresh Tripathi, learned State Counsel for State of Uttarakhand/respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Prabhakar Joshi, learned Counsel for the petitioner and Sri Paresh Tripathi, learned Counsel for State of Uttarakhand/ respondents.

The petitioner is challenging the order dated 5th June 2007 passed by the Addl. District Education Officer (Basic), Champawat by which the services of the petitioner, who was posted as Shiksha Mitra in Primary School, Kulauli, Vikas Khand-Lohaghat, have been terminated. I have perused the impugned order. The order impugned has been passed in compliance of the letter of District Magistrate dated 4th June 2007 by which the District Magistrate, Champawat in a surprise inspection of said School made on 4th June 2007 found the petitioner absent from his duties. It also reveals from the impugned order that Sri Shankar Singh i.e. the brother of the petitioner was found in the School teaching to the students in place of petitioner.

The petitioner could not show any ground, which warrants interference of this Court with the order impugned. Thus, the petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, keeping in view the submission of learned counsel for the petitioner that aggrieved with the order impugned the petitioner has already moved a representation before respondent no. 2, therefore it is expected from respondent no. 2 to take decision on the representation of the petitioner within a period of four weeks from the date of production of a certified copy of this order. No order as to costs.

(M.M. Ghildiyal, J.)

June 14, 2007:
NCM: